

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2004-018689

01/18/2005

HON. THOMAS DUNEVANT, III

CLERK OF THE COURT
B. Navarro
Deputy

FILED: 01/20/2005

CHRISTOPHER MILLS

BRUCE D CRAWFORD

v.

HOME DEPOT U S A INC

JAMES K MACKIE

RULE 16 SCHEDULING CONFERENCE SET

The Court has received Plaintiff's Request for Rule 16(b) Comprehensive Pretrial Conference.

IT IS ORDERED setting this matter for a **Rule 16 Scheduling Conference** on **February 11, 2005 at 9:00 a.m.**, to be heard in conjunction with the oral argument on Plaintiff's Request for Rule 56(f) Relief and Continuance and Defendant's Motion for Protective Order and to Stay Discovery and Defendant's Motion to Dismiss. **Please note that the time of oral argument has been changed from 9:15 a.m. to 9:00 a.m.**

All counsel are directed to meet personally before the scheduling conference to discuss all of the matters set forth in Rules 16(a) and (b), A.R.C.P. Counsel shall prepare and file with the Court **three working days before the conference**, a Joint Pretrial Memorandum addressing at least the following items:

1. An agreed-upon schedule for completion of discovery. As far as can reasonably be anticipated, each party shall set forth the depositions they anticipate taking and the approximate time required for each; any and all medical examinations which may be required of any of the parties; the person or persons to conduct such examinations; all requests for production; and all tangible evidence to be disclosed or exchanged.
2. A date for the final disclosure of expert witnesses, and/or to supplement disclosures made to date.

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3. A date or dates for the final disclosure of all non-expert witnesses, and/or to supplement disclosures made to date.
4. The number of additional non-uniform interrogatories requested by each party and the reasons for the requests. Further, counsel shall set forth any written discovery outstanding and a date when it will be complete.
5. The position of each counsel on whether the Rule 38.1 A.R.C.P. time limits should be waived.
6. A proposed date for a Mandatory Settlement Conference pursuant to Rule 16.1, A.R.C.P.
7. An agreed-upon date for compliance with Rule 16(d), A.R.C.P. The parties shall attach a copy of the Rule 16(g) form so the Court can issue the appropriate order for Alternate Dispute Resolution.
8. Set forth any discovery disputes to date or Rule 26.1 compliance issues.
9. A proposed trial date agreed upon by all counsel.

If counsel are unable to agree on any of the items of the Pretrial Statement, the reasons for their inability to agree shall be set forth in the Pretrial Statement.

Counsel are reminded that the Court will impose sanctions against counsel and/or their clients for failure to participate in good faith in the preparation of the Pretrial Statement or the conference.